

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Zachery Berbig

Civil No. 08-1187 (RHK/JSM)

Plaintiff,

**NOTICE OF TRIAL AND  
SCHEDULE FOR SUBMISSION  
OF TRIAL MATERIALS**

vs.

Sears Roebuck & Company, Inc., et al.,

Defendants.

---

The above matter is deemed ready for trial before the undersigned as of December 1, 2009, in St. Paul, Minnesota.

The trial materials listed below are to be **EXCHANGED AND FILED** in accordance with the following schedule

By November 16, 2009:

- (1) All “documents to be submitted for trial” as required by Local Rule 39.1(b);
- (2) Designation and copies of proposed deposition testimony;
- (3) Motions in Limine with supporting briefs; and
- (4) Trial brief with a statement of the issues (substantive and evidentiary), facts expected to be proved, and controlling statutory and case law.

By November 23, 2009:

- (1) Responsive briefs to Motions in Limine;
- (2) Written Objections, and the grounds therefor, to opposing parties’ exhibits and designated deposition testimony (copies of objected to exhibits and

objected to deposition testimony shall be furnished simultaneously to the Court); and

(3) Replies to Trial Briefs.

By November 30, 2009: Responses to the Written Objections.

Dated: October 1, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge